

**GEORGIA STATE BOARD OF PHARMACY**  
**BOARD MEETING**  
August 17, 2011  
Professional Licensing Boards  
237 Coliseum Drive  
Macon, GA 31217

**Members Present:**

Steve Wilson, President  
Bill Prather, Vice President  
Judy Gardner  
Al McConnell  
Ronnie Wallace  
Fred Barber  
Tony Moyer

**Members Absent:**

Pat McPherson

**Staff Present:**

Janet Wray, Board Attorney  
Lisa Durden, Executive Director  
Rick Allen, GDNA  
Craig Fluke, Exam Section (In Brief Attendance)  
Melanie Bradley, Board Support Specialist

**Visitors:**

Jeff Kelley, ExCPT  
Julie Bigler, ExCPT  
Dennis Tribble, Baxa  
Dan Lauerman, Baxa  
Bruce Conn  
Brian Robinson, Walgreens  
Jimmy England, Walgreens  
Hal Henderson, Omnicare  
Scott Biddulph, Target  
Jeff Jones, MD

Steve Wilson established that a quorum was present and called the meeting to order at 10:01 a.m.

*Appointments – Open Session*

1. ExCPT appeared before the Board to discuss their pharmacy technician certification program. The Board stated that they do not want to exclusively endorse a singular certification program. The Board questioned whether ExCPT is NCCA accredited.

2. Dr. Dennis Tribble appeared before the Board to discuss DoseEdge. Ms. Wray will look into the law concerning DoseEdge. Steve Wilson stated that he would like to conduct a site visit to see how this works.

*Bill Prather made a motion, Judy Garland seconded, and the Board voted unanimously to enter into **EXECUTIVE SESSION** in accordance with O.C.G.A. §§43-1-19(h) 2 and 43-1-2(k) to review applications, deliberate on disciplinary matters, and to receive information on investigative reports. Voting in favor of the motion were those present who included Board members Al McConnell, Fred Barber, Ronnie Wallace, and Tony Moye.*

<i>Appointments – Executive Session</i>
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1. J.A.H. appeared before the Board to discuss reinstatement of his Pharmacist license. A motion was made by Ronnie Wallace to reinstate the license under a Private Consent Order; Fred Barber seconded the motion, Bill Prather opposed, and the Board voted to reinstate the license under a Private Consent Order.
2. C.H.M. appeared before the Board to discuss reinstatement of his Pharmacist license. A motion was made by Judy Garland to reinstate the license under a Public Consent Order pending his advocate's report; Tony Moye seconded the motion and the Board voted to reinstate the license under a Public Consent Order pending his advocate's report.
3. G.R.J. appeared before the Board to discuss reinstatement of his Pharmacist license. A motion was made by Bill Prather to reinstate the license under Private Consent Order; Tony Moye seconded the motion and the Board voted to reinstate the license under Private Consent Order.
4. N.T.G. appeared before the Board to appeal the denial of her pharmacy technician registration. A motion was made by Tony Moye to register as pharmacy technician under Public Consent Order; Bill Prather seconded the motion and the Board voted to register as pharmacy technician under a Public Consent Order.
5. Christopher A. Russell appeared before the Board to appeal the denial of his pharmacy technician registration. A motion was made by Fred Barber to reverse the Boards previous decision and to register as pharmacy technician. Al McConnell seconded the motion and the Board voted to reverse their previous decision and to register as pharmacy technician.
6. Tony J. Willis appeared before the Board to appeal the denial of his pharmacy technician registration. A motion was made by Tony Moye to reverse the Boards previous decision and to register as pharmacy technician; Bill Prather seconded the motion and the Board voted to reverse their previous decision and to register as pharmacy technician. Al McConnell rescued himself from the meeting during the vote for this applicant.
7. R.B.B. appeared before the Board to appeal the denial of his pharmacy technician registration. The Board stated that they did not have the authority to register him as a Pharmacy Technician and suggested he seek a waiver from the DEA.

### **Applications/Licensures:**

1. Kevin M. Lindsay – Pharmacy Technician – Board recommended approval for registration.
2. Mary E. S. Wilson – Pharmacy Technician – Board recommended denial of registration.
3. Odalyn G. Sheffield – Pharmacy Technician- Board recommended denial of registration; however, she may seek waiver request.
4. Huong T. Nguyen - Pharmacy Technician – Board recommended denial of registration.
5. Allen C. Jones – Board recommended approval his reinstatement application for pharmacist license.
6. Angela L. Fox - Board recommended approval her reinstatement application for pharmacist license.
7. Charles G. Darling - Board recommended approval his reinstatement application for pharmacist license.
8. Cheryl A. Reardon - Board recommended approval her reinstatement application for pharmacist license.
9. Kent D. Coleman - Board recommended approval his reinstatement application for pharmacist license.
10. R.S.E. - Reinstatement applicant - Board recommended to refer his case to GDNA office for further investigation.
11. S.T.R. – Reinstatement application – Board requests that applicant be scheduled for Board appearance.
12. N.F.W. – Requested that Board waive NAPLEX test retake waiting period. Board stated they do not have the authority to waive such request.
13. Stacey A. Bronson – Board recommended not to accept the intern hours she submitted because she was not a licensed Georgia intern when she received the hours.
14. M.R.H. – Board recommended to lift the PIC restriction from his Private Consent Order.
15. Edward D. Beck – Board recommended approval his application for pharmacy intern license.
16. Nenka Okeke-Stubbs – Board recommended approval his application for pharmacy intern license.
17. Tiffany A. Manning – Board recommended approval her application for pharmacy intern license.
18. T.M.T. – Board recommended an outpatient alcohol assessment and meeting with Board within 30 days of completing in order to render a final decision on pharmacy intern application.
19. Andred R. Hochradel – Board recommended approval his application of pharmacy intern license.
20. C.P.L. LTD – Board recommended an Investigative Interview prior to rendering a formal decision.
21. Forest Pharmaceuticals Inc. – recommended approval the wholesale renewal application.
22. N.A. LLC – Board recommended an inspection prior to approving the wholesale renewal application.
23. Suneva Medical Inc. – Board recommended approval the wholesale renewal application.
24. K.W.C. – Pharmacist Reinstatement – Applicant needs to obtain a mental/physical exam from a physician and provide the results to the Board.
25. Michael V. Johnson - Pharmacy Technician – Board recommended approval for registration.
26. Tera Cooper – Pharmacy Technician – Board recommended denial of the registration; she may apply for a DEA waiver.

27. Judith Petty – Pharmacy Technician – Board recommended approval of her registration.
28. K.P. – Pharmacy Technician – Board recommended an Investigative Interview.
29. Kendall Emanuel Tennison – Pharmacy Technician – The Board recommended denial of the application. He may contact the Board again after his charge is resolved.
30. Susie McKenzie- Pharmacy Technician – The Board recommended approval of her registration.
31. Elizabeth Long – Pharmacy Technician – The Board recommended approval of her registration.
32. P.H. – Pharmacy Technician – The Board took no action because she needs to submit court documents.
33. Debra Wheeler – Pharmacy Technician -The Board recommended denial of her registration.
34. Jessica Summers- Pharmacy Technician – The Board recommended revocation of her registration.
35. E.B. – Pharmacy Technician - The Board recommended that he contact the Board again when his charges are resolved.
36. R.S. – Pharmacy Technician – The Board requested further information.

**Attorney General's Report:**

Senior Assistant Attorney General, Janet B. Wray presented a status report including 22 open cases and 6 closed cases. The following consent orders were presented for acceptance:

- W.C. – Private Consent Order
- P.P. – Private Consent Order
- G.L.I. – Private Consent Order
- G.W.M. – Private Reinstatement Consent Order for Intern License
- K.H. – Private Consent Order

Senior Assistant Attorney General, Janet B. Wray recommended to close the case on Haggai Tumban and the companion case on HT Pharmacy and Medical Supplies, Inc. Bill Prather made a motion to close the case on Haggai Tumban and Al McConnell seconded the motion; and the Board voted unanimously to close the case. Tony Moye made a motion to close the case on HT Pharmacy and Medical Supplies, Inc. and Ronnie Wallace seconded the motion; and the Board voted unanimously to close the case.

**Cognizant Report – Bill Prather, Cognizant Member:**

**GDNA #A-29541** – The Cognizant Member recommended a private reprimand, Private Consent Order, and \$500 fine.

**GDNA #A10-30** – The Cognizant Member recommended a Public Consent Order and \$500 fine.

**GDNA #A11-26** – The Cognizant Member recommended an Interim Consent Order for Summary Suspension pending an OMPE for A.K.D. If she will not consent, proceed with a Summary Suspension.

**GDNA #A-29642** – The Cognizant Member recommended closing the case - no violation.

**GDNA #A-29643** – The Cognizant Member recommended closing the case – no violation.

**GDNA #A-28966** – The Cognizant Member recommended closing the case – no violation.

**GDNA #A-29649** – The Cognizant Member recommended closing the case – no violation.

**GDNA #A-29640 & #A-29692** – The Cognizant Member recommended a Public Consent Order and \$10,000 fine.

**GDNA #B-29528** – The Cognizant Member recommended that Board send a letter of concern to corporate and to the district manager regarding administration of shots; and request written guidelines and policies concerning the circumstances by which their pharmacists can administer shots.

**GDNA #A-11-27** – The Cognizant Member recommended to accept surrender of license if received, or pursue revocation if license not surrendered.

**GDNA #T11-28** – The Cognizant Member recommended revocation of her technician registration.

**GDNA #A-29196** – The Cognizant Member recommended closing the case – no violation

**GDNA #B-29628** – The Cognizant Member recommended that Board send a letter of concern to the pharmacist and to the pharmacy regarding counseling on new prescriptions.

**GDNA #B-29629** – The Cognizant Member recommended that Board send a letter of concern to the pharmacist and to the pharmacy regarding counseling on new prescriptions.

**GDNA #B-29713** – The Cognizant Member recommended closing the case – no violation.

**GDNA #B-20630** – The Cognizant Member recommended closing the case – no violation.

**GDNA #B-20635** - The Cognizant Member recommended that Board send a letter of concern regarding the counting problems of this pharmacy.

**GDNA #B029719** - The Cognizant Member recommended a Private Consent Order with a \$500 fine each for pharmacist and pharmacy; pharmacist must also attend misfill school; and, pharmacist must submit written plan for correcting the problem.

**GDNA #B-29784** - The Cognizant Member recommended closing the case – no violation.

**GDNA #A-29792** – The Cognizant Member recommended an Investigative Interview.

**GDNA#A-29847** – The Cognizant Member recommended an investigative interview on the same day as schedule investigative interview for #A-29585.

**GDNA# T-29779**– The Cognizant Member recommended to deny her technician registration application.

**GDNA#A11-32** – The Cognizant Member recommended to accept the signed Private Consent Order.

The Board also recommended approval of the renewal applications for Medisca Wholesale Pharmacies: PHWH002778, PHWH003095, and PHWH001086.

At the conclusion of **EXECUTIVE SESSION**, Judy Gardner made a motion to enter into **Open Session** to vote on the matters discussed in Executive Session and to conduct other Board business; Al McConnell seconded the motion. Voting in favor of the motion were Bill Prather, Tony Moye, Ronnie Wallace, and Fred Barber.

#### **OPEN SESSION**

Judy Gardner made a motion to approve the recommendations made in Executive Session; Ronnie Wallace seconded the motion. Voting in favor of the motion were Bill Prather, Tony Moye, Al McConnell, and Fred Barber.

Bill Prather made a motion to approve the minutes as amended from the July 31, 2011; July 28, 2011; and August 2, 2011 Board meetings; Judy Gardner seconded the motion. The Board voted to approve the minutes.

Executive Director Lisa Durden presented a list of licenses and registrations (4,740) that were issued from July 1-31, 2011. Tony Moye made a motion to ratify the list of licenses and registrations; Bill Prather seconded the motion. The Board voted to ratify the licenses and registrations issued.

The Board held a hearing regarding the posted Rule 480-15-.02. No written comments were received and no one from the public voiced any concerns regarding this rule. Judy Gardner made a motion to adopt Rule 480-15-.02, and Bill Prather seconded the motion. The Board voted to adopt Rule 480-15-.02.

\*NOTE: Struck through text will be deleted. Underlined text will be added.

#### **480-15-.02 Registration of Pharmacy Technicians.**

- (a) Effective August 1, 2011 ~~June 30, 2011~~, a pharmacy may only employ registered pharmacy technicians to perform pharmacy technician duties.
- (b) In order to be registered as a Pharmacy Technician in this State, an applicant shall:
- (1) Submit an an application to the Board on the form prescribed by the Board;
  - (2) Attest that applicant is at least 17 years old;
  - (3) Attest that applicant is currently enrolled in high school, or has a high school diploma, or has a GED, or has a postsecondary education or college degree;
  - (4) Consent to, provide the necessary information to conduct, and pay for a background check to be conducted by the Board, its agent or a firm or firms approved by the Board, which background check will include a criminal history, driver license history and other information as the Board deems necessary, and will authorize the Board and the Georgia Drugs and Narcotics Agency to receive the results;
  - (5) Submit the name and address of employer and place of employment;
  - (6) Pay application fees; and
  - (7) If certified, submit evidence of training supporting designation as certified.
- (c) The Board may deny registration or conditionally grant registration for any of the reasons set forth in Code sections 26-4-60 or 43-1-19. This includes convictions, pleas of nolo contendere and guilty pleas related to misdemeanor crimes of moral turpitude or marijuana and to felonies. In addition, no

pharmacist whose license has been denied, revoked, suspended, or restricted for disciplinary purposes shall be eligible to be registered as a pharmacy technician.

(d) The denial of an application for registration as a pharmacy technician shall not be a contested case and the applicant shall not be entitled to a hearing under the Georgia Administrative Procedures Action, O.C.G.A. T. 50, Ch. 13, but such applicant may be entitled to an appearance before the Board.

(e) A registration, once issued, is renewable biennially, upon payment of a fee. A registrant has a responsibility to update the Board with a change of home address and employment address within ten (10) days of such change.

Authority: O.C.G.A. §§ 26-4-5, 26-4-27, 26-4-28, 26-4-60, 16-13-111, and 43-1-19.

Kristin L. Linder; Lillian Y. Dixon; Adrienne T. Anderson; Andrea D. Guyton; Wanda Sanders; and April D. Huckleba submitted a waiver requests of the requirement that a Pharmacy Technician must have a high school diploma or GED. Tony Moyer made a motion to grant the waiver requests, Ronnie Wallace seconded the motion and the Board voted to grant the waiver requests because the applicants were working as technicians at the time that the law and rules were enacted.

Roseane M Santos submitted a request for waiver of the required weekly pharmacy intern hours. Judy Gardner made a motion to deny the request for waiver, Fred Barber seconded the motion and the Board voted to deny the request for waiver because anything less than the required 20 intern hours per week is inadequate training.

The Technical College System of Georgia requested a waiver of pharmacy technician application fees for its students. The Board stated that all pharmacy technicians must be registered and that application fees are nonrefundable.

Sandra R. Bryant, Vice President of Student Affairs at Atlanta Technical College, inquired about pharmacy technician registration requirements as it applied to an enrolled student on a student visa. The Board directed her to SAVE and further advised her to contact Homeland Security for U.S. residency questions.

Lonnie D. Brown requests an appearance with the Board regarding reinstatement of his pharmacist license. Bill Prather made a motion to grant him an appearance; Tony Moyer seconded the motion. The Board voted to grant him an appearance.

Shannon Proctor submitted a request for an appearance with the Board regarding reinstatement of her pharmacy intern license. Ronnie Wallace made a motion to deny her an appearance; Judy Gardner seconded the motion. The Board voted to deny her an appearance. She must be enrolled in school before the Board will consider her request.

Tuyen Nguyen submitted a request for approval to obtain pharmacy intern hours in a non-typical setting. Ronnie Williams made a motion to approve one hour of credit for every two hours worked; Tony Moyer seconded the motion, and the Board voted to approve the request.

Emily Harper submitted a request for approval to obtain pharmacy intern hours in a non-typical setting. Judy Gardner made a motion to approve one hour of credit for every two hours worked; Al McConnell seconded the motion, and the Board voted to approve the request.

Rick Allen of GDNA brought attention to the new law regarding Epipen acquisition and administers in a school setting referring to O.C.G.A. 20-2-776.1. The Board discussed referring this matter to Kimberly Hazelwood, State Public Health Pharmacy Director at Georgia Department of Community Health, a Division of Public Health.

Mei Li submitted a request for approval to obtain pharmacy intern hours in a non-typical setting. Judy Gardner made a motion to approve one hour of credit for every two hours worked; Al McConnell seconded the motion, and the Board voted to approve the request.

United Pharmacy Services submitted a request to install an automated emergency drug dispensing system in a skilled nursing facility. The Board discussed concerns including a list of medications, how inventory will be tracked, and defining “emergency kit.” The Board tabled this request for further discussion at their next meeting.

NuCara Management Group, Inc. submitted a request for full refund of the NuCara Pharmacy #1 wholesaler application fee. The Board denied the refund request stating that application fees are nonrefundable.

Equinox Healthcare, Inc. submitted a request for full refund of the Equinox Healthcare Inc. non-resident pharmacy license application fee. The Board denied the refund request stating that application fees are nonrefundable.

MedEx Associates, LLC submitted a request exception of Board Rule 480-10-.12(e). Judy Gardner made a motion to deny the request, Al McConnell seconded the motion and the Board voted to deny the request for exception because rule 480-10-.12 must be followed in its entirety.

Brittany A. Osborne submitted a letter appealing the denial of her pharmacy technician registration. Bill Prather made a motion to uphold the denial of the application; Judy Gardner seconded the motion. The Board voted to uphold the denial of the application. She may contact the Board again after her October 2011 court date.

James L. Wilson submitted a request for change regarding an error in his Public Consent Order. The Board previously referred his request to Senior Assistant Attorney General Janet B. Wray, who since determined there is no error in the consent order.

George H Cocolas, Secretary for NABP and AACP District III submitted a letter regarding the Georgia State Board of Pharmacy hosting the annual NABP/AACP District III meetings. The Board viewed the letter as informational.

Julie Wickman Bierster, Director of Experiential Education at PCOM School of Pharmacy inquired about obtaining intern hours for the students on tri-mesters. Students may obtain intern hours during traditional school breaks as long as they are enrolled in pharmacy school.



Edward J. Jackson submitted a letter appealing the denial of his pharmacy technician registration. The Board instructed staff to instruct him that he must request a Board appearance to appeal.

**GDNA Report:** Rick Allen updated the Board regarding Rx security paper requirements.

**Executive Director's Report:** To date, 13,105 pharmacy technician applications have been received; 11,485 pharmacy technician registrations have been completed.

**Miscellaneous:**

Bill Prather reviewed the following continuing education providers and made the following recommendations for approval:

Program #	CE Provider	Program Title	Hours
2011-0020	Medical Ctr of Central GA (Dept. of Pharmacy)	"Reducing Med Errors in Hospital	1.0
2011-0021	GPhA Academy of Independent Pharmacy (AIP)	"Keep It Independent: Preparation and the Downsides of Selling to Large Corp. Chain"	2.0
2011-0022	Columbus Regional – The Medical Center – Dept of Pharmacy	"Caring for a Geriatric Cancer Patient "	1.0
2011-0023	Columbus Regional – The Medical Center – Dept of Pharmacy	"Acetaminophen: Friend or Foe?"	1.0
2011-0024	Kaiser Permanente	"Herbal Medicines Over-The-Counter Update"	1.0

The meeting adjourned at 5:45 p.m.

The next Pharmacy Board meeting will be Wednesday, September 14, 2011 at 10:00 a.m. at the Office of the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia 31217.

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Steve Wilson, President  
The Georgia State Board of Pharmacy

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Date

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Lisa Durden, Executive Director  
The Georgia State Board of Pharmacy

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Date